

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATE OF NEW YORK, et al.,

Plaintiffs,

v.

DONALD J. TRUMP, *in his official
capacity as President of the United
States*, et al.,

Defendants.

17-CV-5228 (NGG) (JO)

DECLARATION OF MATTHEW COLANGELO

Matthew Colangelo, pursuant to penalty of perjury under 28 U.S.C. § 1746, does hereby state the following:

I am an attorney in the Office of the New York State Attorney General and counsel to Plaintiffs in this action. I submit this Declaration in support of Plaintiffs' motion for partial summary judgment.

Attached to this Declaration are true and correct copies of the following numbered exhibits, including parts of the administrative record produced by Defendants in this action:

1. Janet Napolitano, U.S. Department of Homeland Security, *Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States As Children* (June 15, 2012).
2. Mandate, *Casa de Maryland*, No. 18-1521, ECF No. 71 (4th Cir. June 30, 2020).
3. Chad F. Wolf, *Reconsideration of the June 15, 2012 Memorandum Entitled "Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States as Children"* (July 28, 2020).
4. Joseph Edlow, *Implementing Acting Secretary Chad Wolf's July 28, 2020, Memorandum, "Reconsideration of the June 15, 2012 Memorandum 'Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States as Children'"* (Aug. 21, 2020).

5. U.S. Gov't Accountability Off., B-331650, *Department of Homeland Security—Legality of Service of Acting Secretary of Homeland Security and Service of Senior Official Performing the Duties of Deputy Secretary of Homeland Security* (Aug. 14, 2020).
6. *Amending the Order of Succession in the Department of Homeland Security*, Exec. Order 13753, 81 Fed. Reg. 90,667 (Dec. 9, 2016).
7. Secretary Kirstjen Nielsen, Resignation Letter to the President (Apr. 7, 2019).
8. Mem. of Law in Support of Defs.' Opp. to Pls.' Mot. for a Prelim. Injunction, *Casa de Maryland, Inc. v. Wolf*, No. 8:20-cv-2118 (D. Md. Aug. 3, 2020), ECF No. 41.
9. Dep't of Homeland Security, *DHS Orders of Succession and Delegations of Authorities for Named Positions*, Delegation No. 00106, Revision No. 08.5 (Apr. 10, 2019).
10. Kevin K. McAleenan, Amendment to the Order of Succession for the Secretary of Homeland Security (Nov. 8, 2019).
11. Dep't of Homeland Security, *DHS Orders of Succession and Delegations of Authorities for Named Positions*, Delegation No. 00106, Revision No. 08.6 (Nov. 8, 2019).
12. Letter from Bennie G. Thompson, Chairman, House Committee on Homeland Security, and Carolyn B. Maloney, Acting Chairwoman, House Committee on Oversight and Reform, to Gene Dodaro, Comptroller General of the United States (Nov. 15, 2019).
13. Pls.' Supp. Br. in support of Mot. for Prelim. Injunction at 5-6, *A.B.-B. v. Morgan*, No. 1:20-cv-846 (D.D.C. June 1, 2020), ECF No. 24.
14. Memorandum for the Secretary from John M. Mitnick, General Counsel, U.S. Dep't of Homeland Security (Apr. 9, 2019).
15. Order, *Casa de Maryland v. U.S. Dep't of Homeland Sec.*, No. 8:17-cv-2942-PWG (D. Md. July 17, 2020), ECF No. 97.

Dated: August 28, 2020

/s/ Matthew Colangelo
Matthew Colangelo
Office of the New York State Attorney General
28 Liberty Street
New York, NY 10005
Phone: (212) 416-6057
matthew.colangelo@ag.ny.gov

Attorney for the Plaintiffs